

ESTTA Tracking number: **ESTTA460010**

Filing date: **03/05/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|--|
| Proceeding | 91192739 |
| Party | Plaintiff Nordstrom, Inc., and NIHC, Inc. |
| Correspondence Address | WILLIAM O FERRON JR SEED IP LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 5400 SEATTLE, WA 98104 UNITED STATES billf.docketing@seedip.com, litcal@seedip.com |
| Submission | Withdrawal of Opposition |
| Filer's Name | William O. Ferron, Jr. |
| Filer's e-mail | billf@seedip.com, litcal@seedip.com |
| Signature | /William O. Ferron, Jr./ |
| Date | 03/05/2012 |
| Attachments | Dismissal.pdf (2 pages)(140437 bytes) |

EXHIBIT C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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|---------------------------------|---|------------------------------------|
| Nordstrom, Inc. and NIHC, Inc., |) | Opposition Proceeding No. 91192739 |
| |) | |
| |) | App. Sn. 77/769311 |
| Opposers, |) | |
| |) | |
| v. |) | |
| |) | |
| Blue Athletic Inc., |) | Attorney Docket No. 700143.803 |
| |) | |
| Applicant. |) | |

Stipulation to Dismiss Opposition With Prejudice

Opposers Nordstrom, Inc. and NIHC, Inc. and Applicant Blue Athletic Inc. have reached an agreement resolving this matter under which this application (currently based on Applicant's intent-to-use the mark DENIMRACK for which use has already begun), will be assigned to Opposer NIHC, Inc., upon issuance of a Notice of Allowance and the USPTO's issuance of a Notice of Acceptance of the Statement of Use filed by Applicant. In light of that agreement, Opposers and Respondent ask that the Board dismiss this proceeding with prejudice with the understanding that such assignment will transfer ownership of this application to Opposer NIHC, Inc. and render this dispute moot.

Respectfully submitted by the undersigned counsel for Opposers and Applicant:

Seed IP Law Group PLLC

3-5-12
Date



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3/5/12
Date


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